

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE COMMUNITY AND
3 ECONOMIC DEVELOPMENT
4 DIVISION OF CORPORATIONS, BUSINESS
5 AND PROFESSIONAL LICENSING
6 BOARD OF VETERINARY EXAMINERS

7
8 MINUTES OF MEETING
9 March 22, 2013

10
11
12 By authority of AS 08.01.070(2) and AS 08.98.040, and in compliance with AS 44.62,
13 Article 6, a scheduled meeting of the Board of Veterinary Examiners was held on March
14 22, 2013, 550 W. 7th Avenue, Room 1270, Anchorage, Alaska.

15
16 **Call to Order/Roll Call**

17
18 The meeting was called to order by Dr. Teresa Beck, Chairperson, at 9:10 a.m.

19
20 Those present, constituting a quorum, were:

21
22 Teresa Beck, DVM – Palmer
23 Tamara Rose, DVM, - Fairbanks
24 Nelson Priddy II, DVM, DACVS– Anchorage
25 DeeDee Jonrowe, Public Member - Willow

26
27
28 In attendance from the Division of Corporations, Business and Professional Licensing,
29 Department of Commerce, Community and Economic Development:

30
31 Debbie Kunow, Licensing Examiner – Juneau
32 Dawn Bundick, Investigations – Anchorage
33 Brian Howes, Investigations - Anchorage

34
35 **Agenda Item 1 Review Agenda**

36
37 Dr. Beck reviewed the agenda and asked for updates or additions.
38
39
40

41 **BOARD OF VETERINARY EXAMINERS**
42 **MINUTES OF MEETING**
43 **MARCH 22, 2013**
44 **PAGE 2**

47 **Agenda Item 2** **Review/Approve Minutes**

48
49 The board reviewed the minutes of the February 1, 2013 meeting.
50 Dr. Priddy pointed out that he was referred to as Dr. Nelson twice and the vets and vet
51 techs should be referred to as veterinarians and veterinary technicians.
52

53 **On a motion duly made by Priddy, seconded by Jonrowe, and approved**
54 **unanimously, it was**

55
56 **RESOLVED to approve the February 1, 2013 meeting minutes as**
57 **amended.**

58
59 **Agenda Item 3** **Ethics Disclosure**

60
61 There were no ethics violations to report from any board members. Dr. Beck advised this
62 is the time to report any violations. Dr. Priddy advised Board members to contact Ms.
63 Kunow if any Board member is unsure if something is an ethics violation. Dr. Beck
64 explained that some Board members may need to recuse themselves from voting for
65 licensure of veterinary technicians if they know the veterinary technician.
66

67 **Agenda Item 4** **Budget Report**

68
69 The Board of Veterinary Examiners is solvent with a balance of \$36,051.92. Ms. Kunow
70 advised the State is cutting back on travel expenses. Each board is now allocated
71 \$4,000.00 for out of state travel. Board meetings are now being held in Anchorage
72 versus communities such as Dillingham, Bethel, etc. to reduce expenses. Dr. Beck stated
73 the American Association of Veterinary State Boards (AAVSB) paid for hotel,
74 registration and airfare when she went to the last convention. The State reimbursed the
75 airport parking and mileage to drive from Palmer. Ms. Kunow advised the State does not
76 reimburse third party expenses, but it does reflect on the Board's budget. If Board
77 members are upset about this situation they should write their legislators. Ms. Jonrowe
78 stated this is bad bookkeeping by the State.
79

80 **Agenda Item 5** **Miscellaneous Correspondence**

81
82 **North American Veterinary Licensing Examination letter of agreement.** Presented
83 to Board for information only. Ms. Kunow advised the agreement was filed with the
84 Department of Commerce's Operation's Manager on March 13, 2013. Drs. Priddy and
85 Beck explained the North American Veterinary Licensing Examination computerized
86 procedures.
87

88 **BOARD OF VETERINARY EXAMINERS**
89 **MINUTES OF MEETING**
90 **MARCH 22, 2013**
91 **PAGE 3**

92

93 **AAVSB Call for Nominations for Upcoming Open Positions.** Presented to Board for
94 information only. Dr. Beck stated this is a good group of people. The president is
95 actually a veterinary technician.

96

97 **American Veterinary Medical Association Memorandum regarding Accreditation of**
98 **Veterinary Colleges Outside the US and Canada.** Presented to the Board for
99 information only.

100

101 **Dr. Robert Gerlach's Letter Regarding Veterinary Licensing for Emergency**
102 **Response.** State Veterinarian, Dr. Robert Gerlach, is in the process of establishing a
103 memorandum of understanding (MOU) with the American Veterinary Medical
104 Association (AVMA) for veterinary support in the form of a Veterinary Medical
105 Assistance Team (VMAT) during emergencies. He is requesting the Board write a letter
106 to Larry Hartig, Commissioner of the Department of Environmental Conservation, stating
107 the Board will make provisions as best as possible to issue courtesy licenses in the case of
108 a state disaster/emergency. The Board has the discretion under 12 AAC 68.041(e) to
109 waive the thirty day application requirement. Ms. Kunow advised that in the case of a
110 declared emergency by the Governor, the Governor would allow outside agencies to
111 conduct emergency services within the State. Additionally, under Chapter 65,
112 Miscellaneous Provisions: Sec. 09.65.097. Civil Liability for Emergency Veterinary
113 Care. (a) A veterinarian licensed in this or another licensing jurisdiction, or a person
114 working under the direct supervision of a licensed veterinarian, who renders emergency
115 care to an injured or ill animal that reasonably appears to the veterinarian or supervised
116 person to be in immediate need of emergency aid in order to avoid serious harm or death
117 is not liable for civil damages as a result of an act or omission in rendering emergency
118 aid. Dr. Rose stated this is a national effort to get a group of organized veterinarians
119 together to respond to emergency events such as hoof and mouth disease outbreaks, etc.
120 This will address national public safety issues. Dr. Beck corrected the letter to reflect
121 reference to Section 12 AAC instead of Section 18 AAC. The Board contacted the State
122 Veterinary Office telephonically in regard to the statute citation. Dr. Beck advised Dr.
123 Fuller that the statute should reflect 12 AAC rather than 18 AAC. Ms. Kunow will
124 redraft the letter to reflect the correct statute. Dr. Gerlach's letter is tabled until the end
125 of the meeting.

126

127 9:50 a.m. Jonrowe leaves.

128 9:52 a.m. Jonrowe returns.

129

130 **AAVSB Memorandum Call for Resolutions.** Presented to the Board for information
131 only.

132

133 **Email from Imke Maring Regarding Equine Massage.** Ms. Maring is requesting to be
134 certified as an equine massage therapist in the State of Alaska. Ms. Kunow provided the
135 International Association of Animal Massage & Bodywork's list of legislation per state.
136 Dr. Rose stated there is therapeutic massage out there.

137

138 **BOARD OF VETERINARY EXAMINERS**
139 **MINUTES OF MEETING**
140 **MARCH 22, 2013**
141 **PAGE 4**

142

143 Ms. Jonrowe asked how this is different from canine massage. Dr. Priddy expressed
144 concerns this may open the door to other non-qualified people doing this type of therapy.
145 It is crossing over into the terms of veterinary medicine. Dr. Beck stated this comes back
146 to the definition of veterinary medicine. There are also issues with compensation. Dr.
147 Beck added that side fields such as dentistry, chiropractics, etc. that non-veterinarians are
148 being trained to do could be construed as veterinary medicine. The Board's purpose is to
149 protect the public so that we don't have non-qualified individuals practicing as licensed
150 veterinarians. Dr. Beck inquired if Ms. Maring is requesting some sort of endorsement.
151 Dr. Beck stated Ms. Maring can massage without compensation. Dr. Rose stated the
152 Board does not endorse these types of services. Ms. Kunow referred to Sec. 08.98.120.
153 License required. (a) A person may not practice veterinary medicine, surgery, or dentistry
154 unless the person is licensed as a veterinarian under this chapter or has a temporary
155 permit issued under AS 08.98.186.

156 Ms. Jonrowe noted that Arkansas only allows veterinarians to practice massage; that it
157 falls under the definition of relief. Dr. Beck referred to Sec. 08.98.250. Definitions,
158 subsection (5) "practice of veterinary medicine"(A) means for compensation to (i)
159 diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect,
160 injury, or other physical or mental condition, including the prescription or administration
161 of a drug, biologic apparatus, anesthetic, or other therapeutic or diagnostic substance. Dr.
162 Priddy stated that massage would fall under this definition. The Board is not in the
163 endorsement business. Ms. Maring would not be able to receive compensation if she
164 were to practice massage and would have to be under the direct supervision of a licensed
165 veterinarian. Dr. Rose inquired if this would also apply to equine dentistry. Dr. Beck
166 agreed it would.

167

168

Agenda Item 6 Investigative Report

169

170 Ms. Bundick reported there are currently fifteen open investigations, which includes
171 intakes, and complaints. Ms. Bundick cautioned the Board that any discussions regarding
172 cases are only under executive session. Dr. Priddy asked if this is a typical number of
173 investigations and Ms. Bundick advised yes.

174 Ms. Bundick advised the Board would need to go into executive session regarding case
175 number 2013-000395.

176

177 **On a motion duly made by Priddy, seconded by Jonrowe, and approved**
178 **unanimously, it was**

179

180 **RESOLVED to go into executive session in accordance with AS**
181 **44.62.310(c)(2), for the purpose of discussing investigative matter 2013-**
182 **000395.**

183

184 Board staff to remain during executive session.

185

186 Off the record at 10:27 a.m.

187 On the record at 10:42 a.m.

188 **BOARD OF VETERINARY EXAMINERS**
189 **MINUTES OF MEETING**
190 **MARCH 22, 2013**
191 **PAGE 5**

192
193 **On a motion duly made by Rose, seconded by Beck, and approved unanimously, it**
194 **was**

195
196 **RESOLVED that case number 2013-000395 is approved for renewal of**
197 **veterinary technician license.**

198
199 Roll call -Priddy – yea, Beck – yea, Rose- yea, Jonrowe – abstained- 3 yeas, 1 abstention,
200 motion passed.

201 Case number 2013-000395 referred to Nicole Riordan-Randall.

202
203 **BREAK**

204 Off record: 10:43 a.m.

205 On record: 11:00 a.m.

206 Investigator Brian Howes enters at 11:00 a.m.

207

208 **Agenda Item 7** **Public Comment**

209

210 **Alaska Prescription Drug Monitoring Program.** Email from Dr. Rehn containing
211 information regarding the Alaska Prescription Drug Monitoring Program distributed to
212 Board members. Brian Howes also distributed additional information regarding this
213 program.

214 Mr. Howes advised all veterinarians were mailed this information, that this is not a new
215 program. No back data is needed, but he would like the veterinarians to start reporting
216 controlled substance prescriptions. Mr. Howes advised that substance abusers will use
217 their pets to gain access to prescriptions.

218 Ms. Jonrowe asked why every veterinarian has to do this. Mr. Howes advised that it all
219 depends on how the clinic or veterinarian dispenses medications. If the veterinarian does
220 not dispense the medication, they do not have to report.

221 Ms. Jonrowe asked if veterinarians already have a reporting log. Dr. Priddy stated that
222 veterinarians must report to the DEA. Ms. Jonrowe asked if this is then duplication by
223 the State. Mr. Howes stated this is an effort to keep people from doctor shopping. Dr.
224 Priddy stated there is already a venue for reporting. Dr. Rose advised veterinarians are
225 required to keep a DEA log of controlled substances but do not report. The log is kept in
226 the office.

227 Ms. Jonrowe expressed concerns that every veterinarian received these notices regardless
228 of how the clinics dispense, that they are required to report every month, that some
229 veterinarians may be out on vacation or, for example on the Iditarod Trail, and cannot
230 meet the reporting deadlines each month. Meeting these deadlines twelve times a year
231 will be a real burden to veterinarians. Dr. Priddy expressed concern regarding less
232 appropriate care for pets; that some veterinarians may not dispense needed medications
233 because of the reporting mandates. Mr. Howes stated some states have made provisions
234 regarding reporting and have gone to quarterly reporting for veterinarians. Right now the
235 statutes say all individual controlled substances must be reported. The State is looking at
236 this as a public safety issue.

237

238 **BOARD OF VETERINARY EXAMINERS**
239 **MINUTES OF MEETING**
240 **MARCH 22, 2013**
241 **PAGE 6**

242
243 Dr. Rose inquired what would happen to those veterinarians that don't report. Mr.
244 Howes stated it would be a violation of State law, but was unsure of what the
245 ramifications would be. The violations would be reported back to the Board.

246 Ms. Jonrowe said the information card stated the veterinarian is supposed to report the
247 pet owner's name and birth date. That information is not the patient information. Mr.
248 Howes stated the veterinarians are supposed to prescribe under the owner name. Dr.
249 Priddy stated prescriptions are made out under the pets' names with the owners as
250 reference. Dr. Beck advised veterinarians typically do not have owners' birthdates. Ms.
251 Jonrowe stated this is more information that veterinarians will be required to get.

252 Dr. Priddy referred to the list of controlled substances that was sent to Dr. Rehn. He
253 stated some of the listed drugs are not controlled substances. Mr. Howes said this was a
254 general list sent from their vendor. Mr. Howes asked the Board to mark up the drug list
255 to exclude or include any other controlled substance used by veterinarians.

256 Dr. Beck stated there was not a lot of notice given regarding this reporting. The postcard
257 was generic looking and the only reference to reporting was in a small paragraph.
258 Veterinarians may not jump on to reporting unless there's a reason or backing to do so.

259 Mr. Howes advised the law went into effect in 2008, but requiring reporting did not go
260 into effect until August of 2011 because of lack of funding.

261 Ms. Jonrowe stated this program requires the veterinarians must report every month, no
262 matter where they're at. This may end up being another layer of bureaucracy that may
263 compromise the care of animals. The veterinarians will not be compensated for the
264 amount of paperwork they will have to do. The extra expense may be passed on to the
265 customer. This reporting will have a tracking record.

266 Dr. Priddy inquired as to what data is out there that shows that veterinarians in the State
267 of Alaska are a source of drugs to those that choose to abuse them. Mr. Howes stated that
268 right now there is no data, but based on other states, there is data. Dr. Priddy stated there
269 needs to be data brought forward.

270 Mr. Howes stated the program is not meant to be heavy handed, but if we get enough
271 information from other professionals that an individual is going to a dentist, a
272 veterinarian, a psychiatrist, internal medicine, etc. for the same drugs, a pattern can be
273 established.

274 Ms. Jonrowe asked that if an individual had been to all the people doctors and a pattern is
275 shown, how the veterinarian would be the tipper. Veterinarians do not prescribe seizure
276 medications to an animal that does not have seizures. They do not prescribe drugs
277 without an existing medical condition, but people can fake their own ailments at the
278 dentist, at the psychiatrist, at the emergency room, at your general practitioner, etc.

279 Mr. Howes stated that drug seekers figure out real quick which practitioners don't report.

280 Dr. Rose referred back to the list of drugs and stated they are a lot of substances that
281 veterinarians don't use. DEA is currently making changes to their list. Ms. Jonrowe
282 referred back to the increased costs to patients and Dr. Beck said it would increase
283 veterinary costs. Dr. Rose stated at the end of a nine hour day, as a single practitioner,
284 this increased paperwork is a burden.

285 Mr. Howes stated that the reporting is for dispensing, not administering.

286 Ms. Jonrowe asked why this program could not be done by clinic rather than individual
287 veterinarian. Mr. Howes stated it could be set up as a clinic. The reporting could be

288

289 **BOARD OF VETERINARY EXAMINERS**
290 **MINUTES OF MEETING**
291 **MARCH 22, 2013**
292 **PAGE 7**
293

294 done by a veterinary technician. There's an online form that could be batched and
295 submitted at the end of the month. Ms. Jonrowe stated there are still costs that get passed
296 on to the customers and, in the case of someone who owns a large clinic, those costs
297 could be huge.

298 Dr. Beck asked about privacy issues. Mr. Howes stated that information is out there and
299 there's an audit trail as to who accesses that information. Ms. Jonrowe stated that her
300 personal information would be based on her pets. Mr. Howes said that the reporting
301 would indicate owner of pet's name. Ms. Jonrowe expressed concerns that a person's
302 personal medical records could be linked through a pet's name. Mr. Howes said he would
303 check on that. Dr. Beck said that Ms. Jonrowe, who owns a hundred dogs, might have
304 four epileptic dogs. This might imply that the pet owner abuses Phenobarbital. Ms.
305 Jonrowe stated she keeps her medically compromised animals and has them for a
306 lifetime. She takes them to three different veterinarians in one clinic. Dr. Beck said it's
307 common for one pet owner to have several epileptic animals and could be red flagged by
308 this program.

309 Mr. Howes explained the reason for the program is to try to cut down investigative costs
310 and protect the public. Ms. Jonrowe expressed concerns about her personal records and
311 pet records being made public, when it could just come down to coming to the veterinary
312 clinic for the records. Mr. Howes said he would check the changes made in other states.
313

314

315 **Agenda Item 8 Regulations**
316

317 Ms. Kunow advised there was no public comment on the courtesy license regulation
318 project. A letter of support to modify the courtesy license to include adding spay and
319 neuter clinics and other services not requiring the resources of a full service clinic from
320 Dr. Denali Lovely, President of the Alaska Veterinary Medical Association, was
321 distributed to Board members.

322 Dr. Rose distributed the new language to include other procedures. Dr. Rose did not
323 want to get pigeoned-holed into just spay and neuter services, but should also include
324 other procedures. Dr. Priddy suggested adding "deemed necessary by the attending
325 veterinarian." Dr. Rose suggested "sponsoring" veterinarian.

326 Dr. Rose stated primary care clinic will include other services as needed.

327 Dr. Rose stated that this is an edit of 12 AAC 68.041. COURTESY LICENSE. Under
328 (f)(3) "special event" (C) should read "spay/neuter/primary care clinic in a community
329 with no established veterinary service and off the main road system."

330 The term primary care includes that if there is a medical problem, it will be dealt with.
331

331

332

333 **BOARD OF VETERINARY EXAMINERS**
334 **MINUTES OF MEETING**
335 **MARCH 22, 2013**
336 **PAGE 8**

337
338 **On a motion duly made by Jonrowe, seconded by Priddy, and approved**
339 **unanimously, it was**

340
341 **RESOLVED that language “spay/neuter/primary care clinic in a community**
342 **with no established veterinary service and off the main road system be added**
343 **under (f)(3)(C).**

344
345 Roll call -Priddy – yea, Beck – yea, Rose- yea, Jonrowe – yea- 4 yeas, 0 nays, motion
346 passed.

347
348 Dr. Rose stated that the special event will still include a sponsor.

349
350 Dr. Beck referred back to Dr. Gerlach’s letter regarding the MOU with the AVMA.
351 The letter doesn’t specifically reference out of state veterinarians.

352
353 Dr. Priddy leaves 11:56 a.m.
354 Dr. Priddy returns 11:59 a.m.

355
356 Dr. Beck suggested the letter include “licensed veterinarians and veterinary technicians
357 from other states” along with the change to Sec 12 instead of 18.

358
359 **On a motion duly made by Jonrowe, seconded by Beck, and approved unanimously,**
360 **it was**

361
362 **RESOLVED that Dr. Gelach’s letter regarding the MOU and the AVMA be**
363 **accepted with the added language.**

364
365 Roll call -Priddy – yea, Beck – yea, Rose- yea, Jonrowe – yea- 4 yeas, 0 nays, motion
366 passed.

367
368 Ms. Kunow will retype the letter on Board letterhead for Dr. Beck’s signature.

369
370 **Agenda Item 9** **Goals and Objectives**

371
372 No changes in goals or objectives.

373
374
375 **Agenda Item 10** **Office Business**

376
377 Board members sign a certificate of appreciation for former Board Member Margaret
378 Eastman.

379
380 Ms. Jonrowe leaves meeting 12:08 p.m.

381
382

383 **BOARD OF VETERINARY EXAMINERS**
384 **MINUTES OF MEETING**
385 **MARCH 22, 2013**
386 **PAGE 9**

- 388 • Confirm Next Meeting Date

389 October 4, 2013

391
392 The Alaska State Veterinary Medical Association 2013 Symposium will be held October
393 4 – 6, 2013.

394 The American Association of Veterinary State Board 2013 Annual Meeting will be held
395 September 19 – 21, 2013. Dr. Priddy will be attending.

396 Dr. Beck signs September 28, 2012 and February 1, 2013 minutes.

397
398
399 **Agenda Item 11 Adjourn**


400
401 There being no further business, Dr. Beck called for adjournment of the meeting.

402
403 The board adjourned the meeting at 12:19 p.m.

404
405
406 Respectfully submitted:

407 
408 _____
409 Debbie Kunow, Licensing Examiner

410
411
412 Approved:

413
414 
415 _____
416 Teresa Beck, DVM, Chairperson
417 Alaska State Board of Veterinary Examiners

418
419
420 Date: 10-4-13

421
422
423
424